

REMARKS

Reconsideration of this application is respectfully requested.

This application has been reviewed in light of the Office Action dated August 25, 2003. Claims 1-4 are currently pending in the application. In this Office Action, the Examiner has rejected Claims 1-4 under U.S.C. §102(e) as being anticipated by Lourette et al. (U.S. Patent 5,978,016). Claims 1-3 are independent claims.

With regards to the rejection of independent Claim 1, the Examiner states that Lourette et al. teaches all the elements of Claim 1, including a first memory, a second memory and an image output processor as recited in Claim 1. However, Lourette et al. at col. 1, line 51-63 discloses a first storage means for receiving and storing the first digital image generated by the digital imaging means, processing means for selectively generating a second digital image from the first digital image stored in the first storage means and a second storage means for selectively storing the second digital image. Nowhere in Lourette et al. is it taught or disclosed that a first memory and second memory selectively store text data and background screen image data as recited in Claim 1. Furthermore, Lourette et al. does not disclose an image output processor for reading data from the first memory and the second memory. Therefore, it is respectfully submitted that the Examiner is incorrect with this rejection and it is respectfully requested that the rejection of Claim 1 under 35 U.S.C. § 102(e) be withdrawn.

With regards to independent Claim 2, the Examiner cites Lourette et al. at col. 4, lines 19-21 as disclosing that a display mode selection switch may be included for selecting the first digital image or the second digital image for display. Lourette et al. does not disclose a first selector for selectively providing the first memory with image data or text data and background screen image data as recited in Claim 2. Furthermore, Lourette et al. does not disclose a second selector for selectively providing the text data and the background screen image data to the first selector or the second memory as recited in Claim 2. Two separate selectors such as the first selector and second selector in the present invention are not taught or disclosed by Lourette et al. And finally, Claim 2 recites a first selector and a second selector, each for selectively providing the data to the memory, such as by using a multiplexer. Lourette et al. selects the memory to obtain this data, but does not select which memory to send this data to. The display mode selection switch of the cited reference is used only for selecting the first digital image or the second digital image for display. This is clearly a different mode of operation from that which is recited in Claim 2. Therefore, it is respectfully submitted that the Examiner is incorrect with this rejection and it is respectfully requested that the rejection of Claim 2 under 35 U.S.C. § 102(e) be withdrawn.

With regard to Claim 3, it is respectfully submitted that the Examiner is incorrect. The cited reference of Lourette et al. fails to disclose at least the limitation of selectively storing, in the first memory, text data and background screen image data, and also does not disclose storing the text data and background screen image data in the second memory. Furthermore, Lourette et al. discloses only a digital imaging means in a camera for generating a first digital image of a

first resolution in response to an exposure signal (col. 1, lines 52-54) and processing means for selectively generating, in response to a display signal, a second digital image from the first digital image stored in the first storage means (col. 1, lines 56-58). Therefore, it is respectfully requested that the Examiner withdraw the rejection of Claim 3.

Without conceding the patentability per se of dependent Claim 4, it is submitted that they are allowable by virtue of its dependency on independent Claim 3.

In view of the preceding remarks, it is respectfully submitted that all pending claims, namely Claims 1-4 are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553
Tel: (516) 228-8484
PJF/JWK:lah

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicants